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HOUSE BILL 557

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO HEALTH FACILITIES; CLARIFYING THAT MENTAL HEALTH CENTERS SERVING CHILDREN ARE SUBJECT TO CHILDREN, YOUTH AND FAMILIES DEPARTMENT LICENSURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-1-2 NMSA 1978 (being Laws 1973, Chapter 359, Section 2, as amended) is amended to read:

"24-1-2. DEFINITIONS. -- As used in the Public Health Act:

A. "department" or "division" means the children, youth and families department as to child care centers, ~~and facilities~~ residential treatment centers that serve persons up to twenty-one years of age, community mental health centers that serve only persons up to twenty-one years of age and day treatment centers that serve persons up to twenty-one years of age, and the department of health as to all other health

underscored material = new
[bracketed material] = delete

1 facilities;

2 B. "director" means the secretary;

3 C. "person", when used without further
4 qualification, means ~~[any]~~ an individual or any other form of
5 entity recognized by law;

6 D. "health facility" means ~~[any]~~ a public hospital,
7 profit or nonprofit private hospital, general or special
8 hospital, outpatient facility, ~~maternity home~~ or shelter, adult
9 daycare facility, nursing home, intermediate care facility,
10 boarding home not under the control of an institution of higher
11 learning, child care center, shelter care home, diagnostic and
12 treatment center, rehabilitation center, infirmary, ~~community~~
13 mental health center that serves both children and adults or
14 adults only, residential treatment center that serves persons
15 up to twenty-one years of age, ~~community mental health center~~
16 that serves only persons up to twenty-one years of age and day
17 treatment center that serves persons up to twenty-one years of
18 age or a health service organization operating as a free-
19 standing hospice or a home health agency. The designation of
20 these entities as health facilities is only for the purposes of
21 definition in the Public Health Act and does not imply that a
22 free-standing hospice or a home health agency is considered a
23 health facility for the purposes of other provisions of state
24 or federal laws. "Health facility" also includes those
25 facilities ~~[which]~~ that, by federal regulation, must be

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1 licensed by the state to obtain or maintain full or partial,
2 permanent or temporary federal funding. It does not include
3 the offices and treatment rooms of licensed private
4 practitioners; and

5 E. "secretary" means the secretary of children,
6 youth and families as to child care centers and facilities and
7 the secretary of health as to all other health facilities."

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